



MINUTES Court of Appeal (CoA) Video Meeting

DETAILS

Date: 19 March 2020

Time: 15:00 – 17:00hrs

PARTICIPANTS

EHF Court of Appeal

Jens Bertel Rasmussen	Vice President
Nicolae Vizitiu	Member
Robert Czaplicki	Member
Ketevan Koberidze	Member
Milan Petronijevic	Member
Roland Schneider	Member
Nicolae Vizitiu	Member
Janka Stasova	Member

EHF Office

Monika Flixeder	Legal Management
Mihaly Kovacs	Legal Management
Sophia Touiker	Legal Management
Justine Daussey	Legal Management

Excused

Markus Plazer	President
Maxim Gulevich	Member

MINUTES

1. Welcome

Vice President Rasmussen welcomed all participants and excused President Plazer and Member Gulevich who could not be present. Many participants were facing with technical difficulties (*i.e.* Member Stasova and Schneider) but they could eventually attend the call.

2. Short review of the EHF Court of Appeal current season activities and of the EHF Legal Delegation meeting

The EHF Office informed the attendees that the Legal Delegation meeting could not take place because of absences and has been postponed.

3. Review of cases

Vice-President Rasmussen summarised the cases. General remarks have been made, especially he underlined that in the cases of 2019 the suspension of the penalties played nearly in all cases a major role. Only the following case was highlighted in detail:

Withdrawal– Review of the case and guideline for sanctions (e.g. 20598)

There was a big discussion on the withdrawal case. Member Petronijevic stressed that the initiation of the claim was against the wrong party. It should have been against the club, not against the federation and the CoA has used in the decision an adequate legal background. The other members argued the fact whether the federation shall be liable for the club's activities. Some members and

the EHF Office supported the view that the federation must be liable at least financially for its club's activities. However in this case the registration procedure has to be adapted (for example: to integrate a passage that also the federations are liable). Otherwise the legal instances will have the problem to change their judgement.

In this particular case there should have been a new procedure against the club and in relation to this the participants agreed that, in case similar cases in the future would arise the Initiator of Procedure (IoP) could open a case against the respective party. The IoP is only used in special cases, not always related to cases which are initiated by EHF. Therefore an opportune definition should be found in the EHF Legal Regulations which handles this issue or an internal agenda shall be created. This topic should be still clarified therefore further discussions might follow.

Discussion on the -limits of the rules for penalties

The EHF Office emphasized that discretionary power is possible to satisfy the needs to come to a conclusion which is according to the eyes of the imposing legal body is acceptable. Suspended sentence is correct, just a part of the punishment will be realised. Member Koberidze added that from her professional experience the federations strive not to impose too high penalties on the clubs because that would put them in an unpleasant situation from the financial point of view. Petronijevic mentioned that the behaviour of the teams at IHF events is different, there are not that many penalties during those events comparing to the EHF ones.

The participants agreed that mainly economical reasons are playing a major role when imposing the fines to the related parties, mostly the maximum limit is not reached.

They noted that the approach of the Court of Handball (CoH) when imposing a fine is similar in many decisions. The CoH has also imposed many times fines on suspended basis. The participants also agreed that the fines at the EURO are too low. The approach of the CoH should be clarified between the two legal bodies because the decisions of the CoH are the basis the CoA is working with.

In addition Rasmussen mentioned that there is no accuser of the EHF however all legal systems must have one. The EHF Office added in relation to this, that the IoP serves as prosecutor in special cases.

As closing the discussion, Koberidze emphasized as a general remark that the federations should work harder to convey correctly the provisions of the regulations. In her opinion, not everyone is reading the regulations carefully *i.e.* how to behave and what the punishments are, therefore the federations should improve in this sense.

4. EHF Legal Regulations, EHF List of Penalties, EHF Catalogue of Administrative Sanctions

Assessment of situations in the event of breaches of obligations in Wheelchair competition, including withdrawal from a competition.

The EHF Office explained the issue about the application of the List of Penalties provided by the Legal Regulation to wheelchair handball. The participants agree that the rules should apply to the wheelchair and distinction cannot be made on the basis that the handball they play, is different. In addition they agreed that any withdrawal in the EHF competition should constitute a major infringement therefore no different treatment regarding the withdrawal.

The CoA and the EHF Office agreed that the general rules should apply on the withdrawal with a special provision for the proportion of the amount of sanctions similarly to the beach handball as set out in the List of Penalties. However a special clause similar to beach handball is seen as helpful by the CoA members.

5. Feedback EURO 2020 Sweden/Austria/Norway

Legal handling on-site

Rasmussen mentioned that it would be nice to have one person from the CoA on-site but after discussion the participants agreed that this is not essential at the moment.

6. Code of Conduct

Ethics of team officials

The participants agree to insert new provisions in the Code of conduct which foresees the correct conduct of the team officials towards the team members.

Betting issues

New provisions shall be inserted handling the betting issues in order to clarify that bets are not allowed for participants to a competition. Provisions regarding insurance for health and injuries in younger age categories competitions should be inserted too.

Motions will be passed to the EHF Executive Committee in respect of the above.

7. Legal Journal n°5

The EHF Office was thanked for the extensive work to produce such publication.

The EHF Office added that the fifth edition was published in June 2019 and the new edition, namely the sixth will be issued this year.

8. Legal Database (LEDA)

LEDA is functioning well. Some of the members have password issues.

9. Miscellaneous

The next meeting of the CoA will take place in 23/24 April 2021 in the framework of the ordinary EHF Congress in Luxembourg.

Koberidze suggested having a video meeting at least two times of the year. The participants agreed. In addition the video platform should also be used for the panel discussions in the future.

In relation to this, the EHF Office requests the members of the CoA to supervise the technical issues next time in order to join the video meeting without any technical difficulties.

Vice President Rasmussen thanked all participants for their active participation and closed the meeting.